



DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS
TAMPA REGULATORY OFFICE
P.O. BOX 19247
TAMPA, FLORIDA 33686-9247

Regulatory Division
South Permits Branch
West Permits Section
Tampa Regulatory Office

PUBLIC NOTICE

Permit Application No. SAJ-2004-5581(IP-MEP) **OCT 07 2004**

TO WHOM IT MAY CONCERN: This District has received an application for a Department of the Army permit pursuant to Section 404 of the Clean Water Act (33 U.S.C. 1344), as described below:

PROJECT: Forrest Creek Subdivision

APPLICANT: James R. Schier, Manager
Compass Property Holdings,
8210 Lakewood Ranch Boulevard
Bradenton, Florida 34202

WATERWAY & LOCATION: The project is located in un-named wetlands tributary to the Manatee River, on U.S. Highway 301, approximately four miles east of Interstate 75, in Sections 31 & 32, Township 33 South, Range 19 East, and Section 6, Township 34 South, Range 19 East, Manatee County, Florida.

LATITUDE & LONGITUDE: Latitude 27.5590° N, Longitude 82.4354° W

PROJECT PURPOSE:

Basic: Construct a residential community.

Overall: Construct an 367 unit residential community with associated drainage and transportation infrastructure in Manatee County.

Proposed Work: The applicant proposes to construct a 376-unit subdivision of single-family residential units including streets, utilities, and a stormwater management system. The project will be constructed in two phases. Phase I will include 255 units constructed on 98.13± acres; Phase II will include construction of 112 units constructed on 36.94± acres. The

project will result in the filling of 0.66 acres of wetlands for the construction of home sites, and the excavation of 1.34 acres wetlands for the construction of "lakes" to function as a component of the surface water management system. The project will also result in the filling of 1.01 acres of agricultural ditches and the culverting of 0.56 acres of agricultural ditches.

Compensation offered by the applicant for unavoidable impacts to wetlands and other waters of the United States includes the following: 1) create a rookery habitat consisting of an "island" 1.75 acres in size (0.93 acres of forested/herbaceous wetland and 0.82 acres of forested uplands) in the existing borrow pit; 2) connect the 19 acre borrow pit to waters of the U.S. making it jurisdictional to the Corps; 3) create 1.8 acres of herbaceous wetlands (littoral shelves) in lake system; 4) Enhance existing borrow pit/lake via the removal of all exotic and nuisance vegetation (19± acres). The littoral shelves and mitigation area (both upland and wetland portions) will be planted with native forested and herbaceous species and will be monitored and maintained in perpetuity. The remainder of the on-site wetlands and ditches shall be enhanced via nuisance vegetation removal and/or hydroperiod restoration.

SITE CONDITIONS: The 135.07 acre project area consists of an active cattle ranch and hay farm. The site contains an isolated, upland excavated borrow pit, an old agricultural drainage ditch bisecting the property in a north to south direction, connecting ditches running from the primary drainage ditch to six remnant herbaceous wetlands, and a cow pond excavated from a historic wetland area at the southern property boundary. The six remnant herbaceous wetlands exhibit alterations including extended periods of agricultural drainage, disking, hay production, and cattle grazing. The result is a dominance of pasture grasses, nuisance wetland vegetative species, with small cores of desirable herbaceous wetland plant species. After leaving the site, the agricultural ditch bisecting the site flows through an adjacent residential development (River Wilderness) prior to discharging into the Manatee River.

THREATENED AND ENDANGERED SPECIES: The applicant has reported that no significant wildlife utilization of the site has been observed. The Corps of Engineers is currently requesting consultation as defined under Section 7 of the Endangered Species Act with the U.S. Fish and Wildlife Service.

NOTE: This public notice is being issued based on information furnished by the applicant. This information has not been verified. A complete set of drawings is available in the Tampa Regulatory Office for review. The limits of wetlands shown on the drawings are based on a jurisdictional determination verified by the Tampa Regulatory Office.

AUTHORIZATION FROM OTHER AGENCIES: The project has been reviewed by the Southwest Florida Water Management District (SWFWMD). SWFWMD has issued environmental resource permit number 43027131.000 for the project. The Corps must receive a complete copy of the Southwest Florida Water Management District permit, including project plans and any special conditions.

Comments regarding the application should be submitted in writing to the District Engineer at the above address within 30 days from the date of this notice.

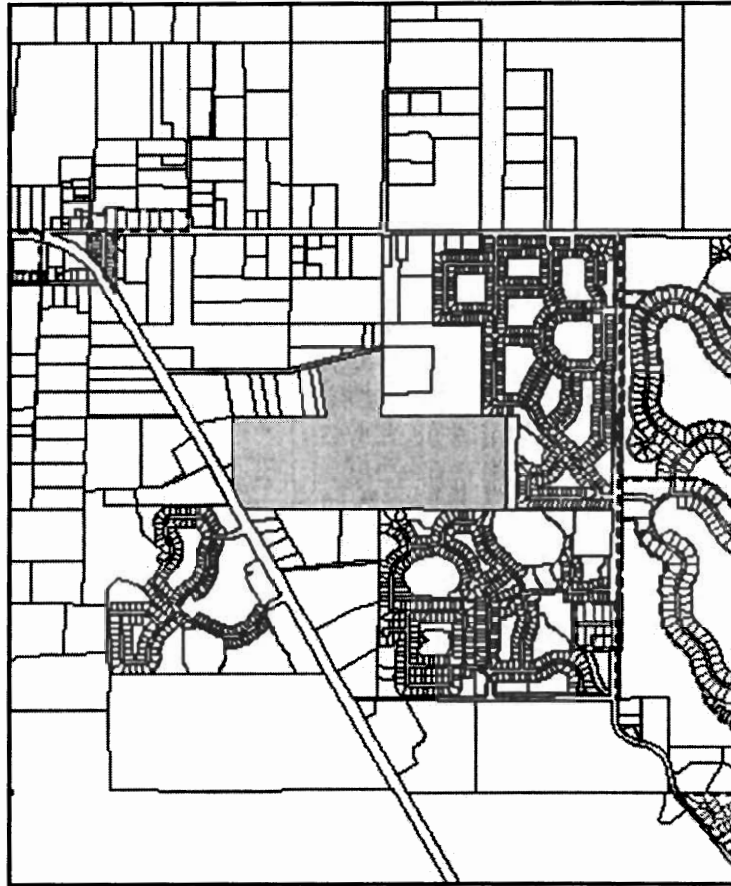
If you have any questions concerning this application, you may contact Mark E. Peterson of this office, telephone: (813) 840-2908, ext. 246, or email at Mark.E.Peterson@saj02.usace.army.mil.

MANATEE COUNTY
PROPERTY APPRAISER

474720009

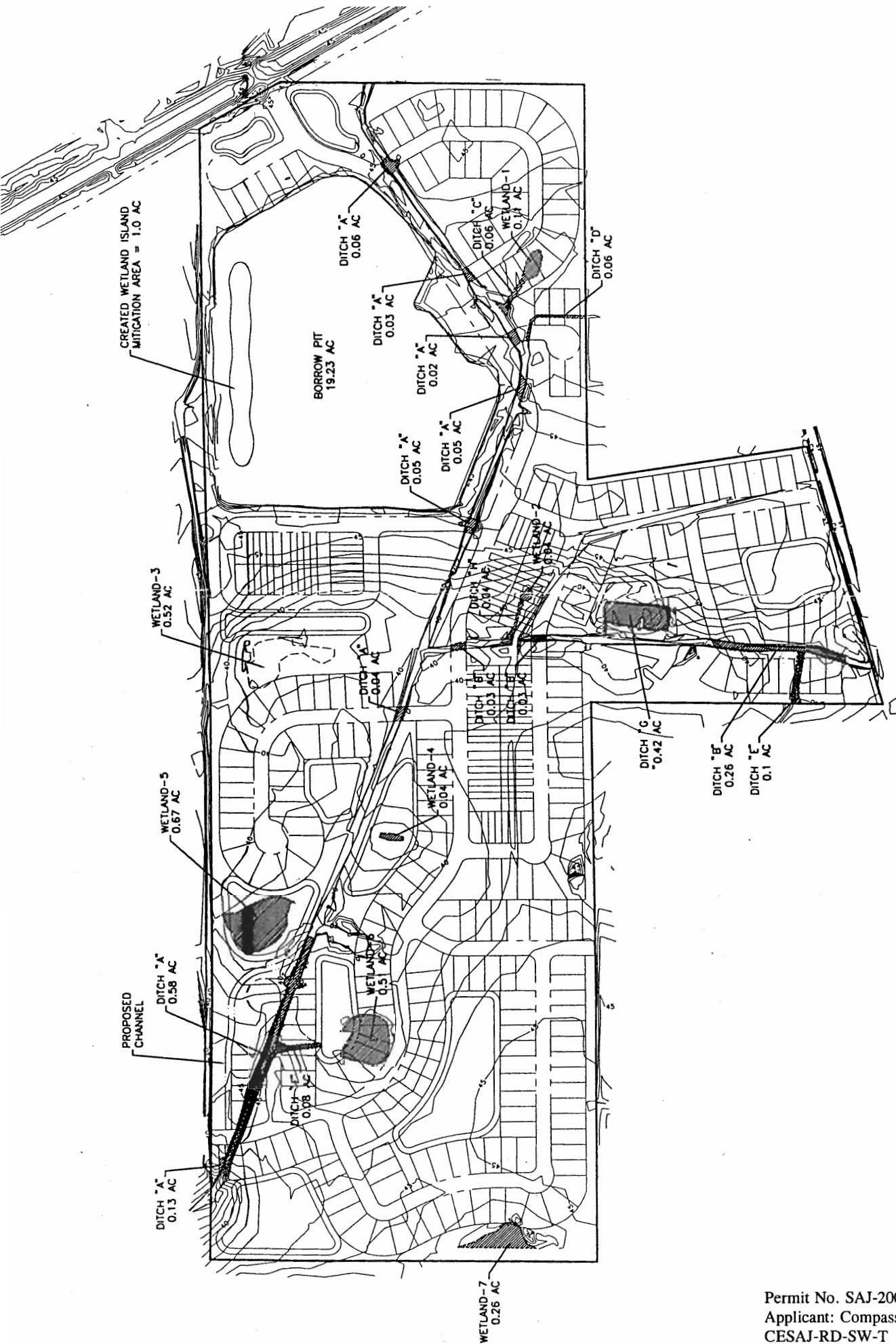
5105 RED ROOSTER RD

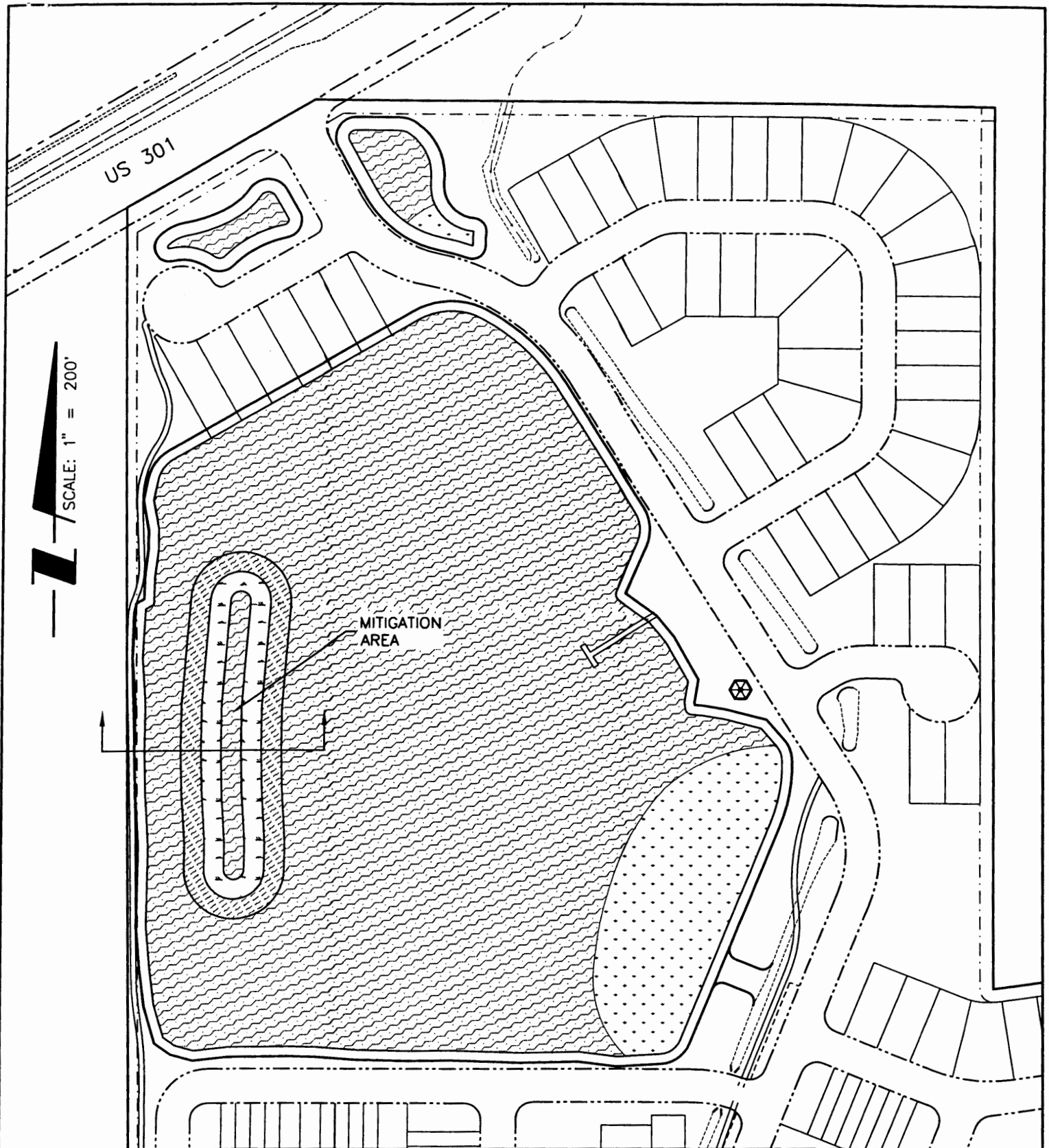
COMPASS PROPERTY HOLDINGS



Printed on Wednesday, September 29, 2004, at 9:50:07 AM

Powered by Akanda





PROJECT: FOREST CREEK - WETLAND MITIGATION AREA

CLIENT: RESOURCE CONSERVATION OF MANATEE, LLC

WilsonMiller

Planners • Engineers • Ecologists • Surveyors • Landscape Architects • Transportation Consultants

WilsonMiller, Inc.

Naples • Fort Myers • Sarasota • Bradenton • Tampa • Tallahassee

6900 Professional Parkway East, Suite 100 • Sarasota, Florida 34240-8414 • Phone 941-907-6900 • Fax 941-907-6910 • Web-Site www.wilsonmiller.com

WilsonMiller, Inc. - FL L&E LC-000007

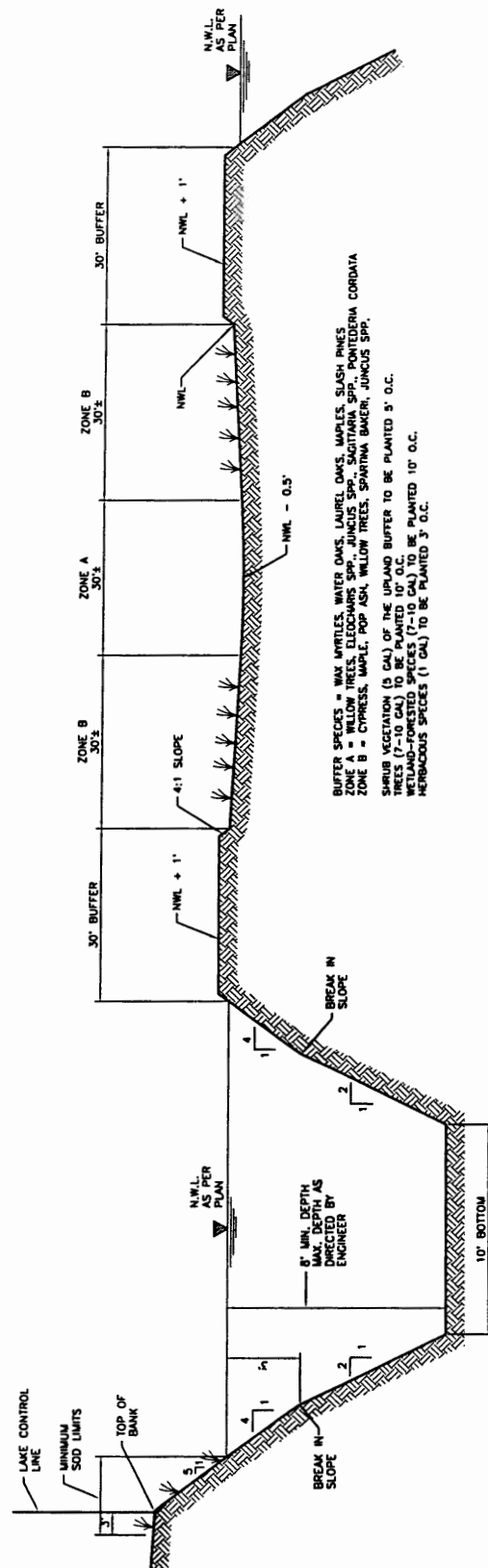
Permit No. SAJ-2004-5581-MEP

Applicant: Compass Property Holdings

CESAJ-RD-SW-T

Date: 30-Sept-2004

Page 3 of 4



IMPACT ON NATURAL RESOURCES: Preliminary review of this application indicates that an Environmental Impact Statement will not be required. Coordination with U.S. Fish and Wildlife Service, Environmental Protection Agency (EPA), the National Marine Fisheries Services, and other Federal, State, and local agencies, environmental groups, and concerned citizens generally yields pertinent environmental information that is instrumental in determining the impact the proposed action will have on the natural resources of the area. By means of this notice we are soliciting comments on the potential effects of the project on threatened or endangered species or their habitat.

IMPACT ON CULTURAL RESOURCES: Review of the latest published version of the National Register of Historic Places indicates that no registered properties, or properties listed as eligible or inclusion therein, are located at the site of the proposed work. Presently, unknown archeological, scientific, prehistorical, or historical data may be lost or destroyed by the work to be accomplished.

EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including cumulative impacts thereof; among these are conservation, economics, esthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people. Evaluation of the impact of the activity on the public interest will also include application of the guidelines promulgated by the Administrator, EPA, under authority of Section 404(b) of the Clean Water Act of the criteria established under authority of Section 102(a) of the Marine, Protection, Research, and Sanctuaries Act of 1972. A permit will be granted unless its issuance is found to be contrary to the public interest.

The U.S. Army Corps of Engineers (Corps) is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make or deny this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

COASTAL ZONE MANAGEMENT CONSISTENCY: In Florida, the State approval constitutes compliance with the approved Coastal Zone Management Plan. In Puerto Rico, a Coastal Zone Management Consistency Concurrence is required from the Puerto Rico Planning Board. In the Virgin Islands, the Department of Planning and Natural Resources permit constitutes compliance with approved Coastal Zone Management Plan.

REQUEST FOR PUBLIC HEARING: Any person may request a public hearing. The request must be submitted in writing to the District Engineer within the designated comment period of the notice and must state the specific reasons for requesting the public hearing.


John R. Hall
Chief, Regulatory Division